

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FERRING B.V., FERRING
INTERNATIONAL CENTER S.A., and
FERRING PHARMACEUTICALS INC.,

Plaintiffs and
Counter-Defendants,

-against-

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/14/2020

No. 17 Civ. 9922 (CM)(SA)

SERENITY PHARMACEUTICALS, LLC,
REPRISE BIOPHARMACEUTICS, LLC,

Defendants and
Counterclaimants.

x

NOTICE TO COUNSEL

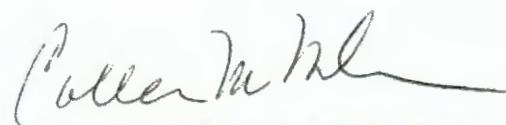
McMahon, C.J.:

Please upload unredacted versions – in both Word and PDF format – of your respective Findings of Fact and Conclusions of Law to a folder on the trial's Box.

I also need a translation table that gives me OUR trial exhibit number for the various exhibits that were also cited in Judge Castel's Findings of Fact and Conclusions of Law. I recognize that not all of the exhibits before Judge Castel were part of our case. The sooner you can get me a translation table, the better.

At oral argument, you should be prepared to discuss the significance of various specific findings made by Judge Castel, including whether the key differences between the Fein patents (which do not claim a specific dose, but rather claim any dose that would lead to a specific result) and the Ferring patents (which do claim specific dosages) are relevant to inventorship issues, and whether the shift in the burden of proof makes any difference.

Dated: July 16, 2020



Allen N. Kolker

Chief Judge

BY ECF TO ALL COUNSEL